

REMARKS:

In the Office Action,¹ the Examiner rejected claims 9-12, 14-16, and 27-29 under 35 U.S.C. § 102(e) as being anticipated by Matsuzaki et al. (U.S. Patent No. 6,289,314 ("Matsuzaki"). Next, the Examiner rejected claims 13, 17, and 18 under 35 U.S.C. § 103 as being unpatentable over Matsuzaki. Then, the Examiner rejected claims 19-24, 30, and 31 under 35 U.S.C. § 103 as being unpatentable over Matsuzaki in view of Christiano (U.S. Patent No. 5,671,412) ("Christiano"). Finally, the Examiner rejected claims 25 and 26 under 35 U.S.C. § 103 as being unpatentable over Matsuzaki in view of Christiano and further in view of Shimakawa et al. (U.S. Patent No. 6,502,124) ("Shimakawa").

In this Amendment, Applicant amends claims 9, 11, 14, 17, 19, 21, 24, 25, and 27-31 to more appropriately define the invention. Support for these amendments can be found in the specification at, for example: Figure 1; page 20, line 24 to page 21, line 2; page 44, lines 6-12; page 46, lines 4-8; Figure 26; page 56, lines 5-10; and Figure 35. Claims 9-31 remain pending.

Applicant respectfully traverses the Examiner's rejection of claims 9-12, 14-16, and 27-29 as anticipated by Matsuzaki. In order to properly establish that Matsuzaki anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim ." See

¹ The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Regarding the 35 U.S.C. § 102(e) rejection, Matsuzaki does not disclose each and every element of Applicants' presently claimed invention.

The Examiner alleges that col. 15, lines 39-61 and col. 19, lines 18-35 of Matsuzaki anticipate Applicant's claims. Matsuzaki, however, teaches the operation of a server 2 that receives information from a transmission station TS. *Col. 19, lines 6-35*. Specifically, the transmission station TS sends information to the server 2, which the decrypting portion 221 (inside the server 2) then decrypts to produce "the decrypted contract information." *Id.* The server 2 distributes information to terminals 3, such as a television set or a computer. *Col. 13, lines 21-27*. The "qualification judging portion 222 examines the decrypted contract information to judge whether **the receiving device 21** has qualifications..." (emphasis added). *Col. 19, lines 6-35*. Of particular note, Matsuzaki judges whether the receiving device 21 has qualifications, *not* whether the *terminal 3* has qualifications. In fact, discussion of terminal 3 is expressly absent from col. 19, lines 18-35 of Matsuzaki. Referring to figures 1 and 2 of Matsuzaki, the reference clearly discloses that receiving device 21 is located within server 2 and not terminal 3.

In contrast to Matsuzaki, claim 9 recites a combination including, for example:

An information processing apparatus for controlling transfer of contents to a **destination information processing apparatus**, comprising:

...

wherein said usage control status has a registration area storing an ID information (SAM ID) of said **destination information processing apparatus**, and

wherein said judgment means performs the judgment based on said ID information (SAM ID) stored in said registration area.

Claim 9 (emphasis added). Accordingly, Matsuzaki fails to teach at least this limitation of independent claim 9. Likewise, the Examiner's § 102 rejection of claims 10-12, 14-16, and 27-29, also fails for at least this same reason.

Similarly, the rejections under 35 U.S.C. § 103 fail because Matsuzaki and the other cited references fail to teach every required element of Applicant's claims. Thus, Applicant respectfully traverses the rejections of claims 13, 17-26, 30, and 31 under 35 U.S.C. § 103(a).

As discussed above, Matsuzaki judges whether the receiving device 21 has qualifications, *not* whether the *terminal 3* has qualifications.

Again, in contrast to Matsuzaki, claim 17, for example, recites a combination including, for example:

An information processing system for canceling a transfer of contents after the transfer of contents is performed from a *first information processing apparatus* to a **second information processing apparatus**;

...

wherein said first usage control status has a registration area storing an ID information (SAM ID) of said **second information processing apparatus**; and

wherein said first judgment means performs the judgment based on said ID information (SAM ID) stored in said registration area of said first usage control status.

Claim 17 (emphasis added). Matsuzaki fails to teach at least this element of independent claim 17. Further, all three cited references, taken alone or together, fail to teach at least this element. Therefore, claim 17 is allowable over the cited references. Finally, the § 103 rejection of claims 13, 18-26, 30, and 31 also fails for at least this same reason.


Applicant respectfully requests reconsideration of the application and withdrawal of the rejections. Applicant submits that pending claims 9-31 are in condition for allowance, and applicant requests a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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